

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Dominic Musarra, *et al.*

Plaintiffs,

vs.

Digital Dish, Inc.,

Defendant.

Case No. C2-05-545

Judge Marbley

Magistrate Judge King

ORDER GRANTING FINAL APPROVAL OF SETTLEMENT

AND NOW, on the fourth day of February, 2008, the parties having filed a Joint Motion for Order Conditionally Certifying Settlement Class and Preliminarily Approving Class Action (“the Joint Motion for Conditional Approval”) [Docket No. 73], a Settlement Agreement (“the Agreement”) [Docket 73-A], a Joint Motion for Order Certifying Settlement Class and Approving Class Action Settlement on October 4, 2007 (“the Joint Motion for Final Approval”) [Docket No. 109], Plaintiffs’ Motion for Attorney Fees and Reimbursement of Costs (“the Motion for Fees and Costs”) [Docket No. 115]; and

The Court, by Order, having granted the Joint Motion for Conditional Approval on August 14, 2007 [Docket No. 98]; and

The Court having considered the Agreement as well as the testimony, evidence, and supporting papers during the fairness hearing held before the Court on November 9, 2007; and

The Court noting that no objections were filed to the Agreement; and,
The Court finding that there were no objections to the fee and expense petition of Plaintiffs counsel; and

The Court having considered the entire record and all relevant matters;

It is hereby **ORDERED** that the Stipulation of Settlement and all terms therein are approved as fair, reasonable and adequate in all respects in accordance with Fed. R. Civ. P. 23(e) (1)(C).

It is hereby further **ORDERED** that Plaintiffs' Counsel be awarded the maximum of \$14,000.00 in attorney fees and expenses provided by the Agreement based on their fee and expense petitions.

It is hereby further **ORDERED** that the \$19,000 in expenses for the Garden City Group be paid out of the settlement funds.

It is hereby further **ORDERED** that the two charities, the Interfaith Worker Justice and the La Red Business Network are approved as the recipients of an

equal share of a *Cy Pres* award of any funds remaining of the settlement once the funds are distributed according to the terms of the Agreement and this Order.

It is hereby further **ORDERED** that, as provided for in the Agreement, the minimum wage claims for all job based technicians hired by Defendant between June 2, 2002 and October 12, 2006 who participated in the Defendant's training program are dismissed with prejudice upon entry of this Order.

IT IS SO ORDERED.

s/Algenon L. Marbley
ALGENON L. MARBLEY
United States District Court Judge

DATE: February 4, 2008